



11-18-05

RCE

✓  
IPW

Atty. Dkt. No. 058423-1002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Lingappa et al.

Title: HIV CAPSID ASSEMBLY-  
ASSOCIATED  
COMPOSITIONS AND  
METHOD

Appl. No.: 10/040,206

Appl. Filing Date: 1/2/2002

Examiner: ULRIKE WINKLER

Art Unit: 1648

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 643 730 405 US	16 November 2005
(Express Mail Label Number)	(Date of Deposit)
Susana Salto	
(Printed Name)	
S. Salto	
(Signature)	

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. **Submission required** under 37 C.F.R. §1.114: (check items that apply)

## a. Previously submitted:

11/21/2005 SSITHIB1 00000014 10040206

01 FC:2801  
02 FC:2253395.00 OP  
510.00 OP

☒ Please enter and consider the amendment and/or reply previously filed  
on 16 August 2005.

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the  
total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$120.00	0	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$450.00		\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00		\$1,020.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,590.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,160.00		\$0.00
EXTENSION FEE SUBTOTAL:				\$1,020.00
EXTENSION FEE ALREADY PAID: -				\$0.00
CLAIMS (RCE ) FEE TOTAL				\$790.00
EXTENSION FEE TOTAL				\$1,020.00
CLAIMS AND EXTENSION FEE TOTAL:				\$1810.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$905.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:				\$905.00

☒ Check #1448 in the amount of \$905.00 to cover the RCE filing fee (\$395) and extension  
fee for response filed within the third month (\$510) is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be  
required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any  
overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed  
herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise  
improper or informal or even entirely missing, the Commissioner is authorized to charge  
the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 16 November 2005

By Karen E. Flick

FOLEY & LARDNER LLP  
Customer Number: 38706  
Telephone: (650) 251-1103  
Facsimile: (650) 856-3710

Karen E. Flick  
Attorney for Applicant  
Registration No. 44,111